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PTO/SB/01 (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration Submitted With Initial Filing

OR

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	BBCH-01002US0
First Named Inventor	Maddison
<i>COMPLETE IF KNOWN</i>	
Application Number	10/772,591
Filing Date	February 4, 2004
Art Unit	2186
Examiner Name	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### MICROSCOPE SYSTEM AND METHOD

*(Title of the Invention)*

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY) 02/04/2004 as United States Application Number or PCT International

Application Number 10/772,591 and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? Yes	Certified Copy Attached? No
03 026 64.8	United Kingdom	02/05/2003	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

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This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to:  Customer Number: 28554      OR     Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

 A petition has been filed for this unsigned inventorGiven Name  
(first and middle [if any])  
John R.Family Name  
or Surname  
MaddisonInventor's  
Signature

Date

14/5/04

Residence: City

State

Country

Citizenship

Nottingham

United Kingdom

United Kingdom

Mailing Address

1 Orchard Place  
Nottingham Business Park

City

State

ZIP

Country

Nottingham

NG8 6PX

United Kingdom

NAME OF SECOND INVENTOR:

 A petition has been filed for this unsigned inventorGiven Name  
(first and middle [if any])Family Name  
or SurnameInventor's  
Signature

Date

Residence: City

State

Country

Citizenship

Mailing Address

City

State

ZIP

Country



Additional inventors or a legal representative are being named on the \_\_\_\_\_ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application	)	<u>PATENT APPLICATION</u>
	)	
Inventor: John J. Maddison	)	
Application No.: Not yet assigned	)	
Filed Date: February 4, 2004	)	
Title: MICROSCOPE SYSTEM AND METHOD	)	Customer No.: 28554
	)	

**POWER OF ATTORNEY (REVOCATION OF PRIOR POWERS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby revoke all previous powers of attorney or authorizations of agents given in the above-identified application.

I hereby appoint CROMER, David E. (Reg. No. 54,768), DeNIRO, Kirk J. (Reg. No. 35,854), MAGEN, Burt (Reg. No. 37,175), MARCUS, Brian I. (Reg. No. 34,511), and VIERRA, Larry E. (Reg. No. 33,809), as our attorneys or agents to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all telephone calls and correspondence for the above-identified application to:

Larry E. Vierra, Esq.  
Vierra Magen Marcus Harmon & DeNiro LLP  
685 Market Street, Suite 540  
San Francisco, California 94105  
Telephone: 415.369.9660, Facsimile: 415.369.9665

Fairfield Imaging Limited is the assignee of the entire right, title and interest in the above-identified patent application. I, the undersigned, declare that I have reviewed copies of the documentary evidence establishing chain of title to the patent application identified above from the inventor to the assignee which:

is filed for recordation herewith; or  
 was recorded at Reel \_\_\_\_, Frame \_\_\_\_; or  
 has been sent for recordation under separate cover, a copy attached herewith.

The undersigned is authorized to sign this document on behalf of the assignee.

Signature:   
Date: 13/5/04  
Name: N. F. Clinch  
Title: Managing Director, Fairfield Imaging Limited

**SOLE TO CORPORATE ASSIGNMENT**  
(United Kingdom Inventor)

**WHEREAS**, the undersigned, John R. Maddison, a resident of 1 Orchard Place, Nottingham Business Park, Nottingham NG8 6PX, United Kingdom (hereinafter termed "Inventor"), has invented certain new and useful improvements in:

**MICROSCOPE SYSTEM AND METHOD**

and has executed a declaration or oath for an application for a United States patent disclosing and identifying the invention, said application having Patent Application Number 10772,591 and filed on the 4<sup>th</sup> day of February, 2004.

**WHEREAS** Fairfield Imaging Limited, (hereinafter termed "Assignee"), a company incorporated under the laws of England and Wales, having a place of business at 1 Orchard Place, Nottingham Business Park, Nottingham NG8 6PX, United Kingdom, wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered by said Inventor (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

**NOW THEREFORE**, for good and valuable consideration acknowledged by said Inventor to have been received in full from said Assignee:

1. Said Inventor does hereby sell, assign, transfer and convey unto said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any and all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventor hereby covenants and agrees to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventor shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other

priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventor in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventor, said Inventor's heirs, legal representatives and assigns.

4. Said Inventor hereby warrants and represents that said Inventor has not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

5. It is hereby certified that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds £30,000 (Thirty Thousand pounds).

**IN WITNESS WHEREOF**, the said Inventor has executed this instrument on the date of acknowledgement before the Notary Public as given below and delivered this instrument to said Assignee.

Date of Execution of Declaration for Patent Application: 12/15/04



John R. Maddison

Date: 12/15/04

Witness's Signature: S. R.

Witness's Name: Simon Palmer

Witness's Address: 37, THE RODBURY, BERRY

HILL, MANSFIELD